

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

PRENTICE R. THOMAS,

Plaintiff,

v.

B. WEAVER, et al.,

Defendants.

Case No. 1:22-cv-01492-BAM

ORDER GRANTING MOTION TO  
PROCEED *IN FORMA PAUPERIS*  
(Docs. 2, 7)

ORDER DIRECTING PAYMENT OF  
INMATE FILING FEE BY FRESNO  
COUNTY JAIL

Plaintiff Prentice R. Thomas (“Plaintiff”) is a county jail inmate proceeding *pro se* in this civil rights action.

On November 18, 2022, Plaintiff filed a motion to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. (Doc. 2.) On November 29, 2022, the Court issued its Order Requiring Plaintiff to File Completed Application to Proceed *In Forma Pauperis* or Pay Filing Fee Within Thirty-Days, noting that Plaintiff’s motion did not contain a certification from the institution of incarceration detailing Plaintiff’s account information, nor did it include a trust account statement. (Doc. 5.) On December 9, 2022, Plaintiff re-filed a motion to proceed *in forma pauperis* together with a certification from the Fresno County Jail and statement of his inmate account at the Fresno County Jail. (Doc. 7.) Plaintiff has made the showing required by § 1915(a) and accordingly, the request to proceed *in forma pauperis* will be granted. Plaintiff is obligated to pay the statutory filing fee of \$350.00 for this action. 28 U.S.C. § 1915(b)(1). Plaintiff is obligated to make monthly

1 payments in the amount of twenty percent (20%) of the preceding month's income credited to  
2 Plaintiff's trust account. Fresno County Jail is required to send to the Clerk of the Court payments  
3 from Plaintiff's trust account each time the amount in the account exceeds \$10.00, until the  
4 statutory filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

5 Accordingly, IT IS HEREBY ORDERED that:

6 1. Plaintiff's application to proceed *in forma pauperis*, (Docs. 2, 7), is GRANTED;

7 **2. The Sheriff of Fresno County Jail or his or her designee shall collect payments**  
8 **from Plaintiff's prison trust account in an amount equal to twenty per cent (20%) of**  
9 **the preceding month's income credited to the prisoner's trust account and shall**  
10 **forward those payments to the Clerk of the Court each time the amount in the account**  
11 **exceeds \$10.00, in accordance with 28 U.S.C. § 1915(b)(2), until a total of \$350.00 has**  
12 **been collected and forwarded to the Clerk of the Court. The payments shall be clearly**  
13 **identified by the name and number assigned to this action;**

14 3. The Clerk of the Court is directed to serve a copy of this order and a copy of  
15 Plaintiff's *in forma pauperis* application on the Sheriff of the Fresno County Jail, via the  
16 Court's electronic case filing system (CM/ECF); and

17 4. The Clerk of the Court is directed to serve a copy of this order on the Financial  
18 Department, U.S. District Court, Eastern District of California.

19  
20 IT IS SO ORDERED.

21 Dated: December 12, 2022

22 /s/ Barbara A. McAuliffe  
23 UNITED STATES MAGISTRATE JUDGE  
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